

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 SOUTHERN DIVISION
11

12)
13 UNITED STATES OF AMERICA,)
14)

15 Plaintiff,)

16 v.)

17 SOLOMON JALLOH, AKA "SULIMAN)
18 JALLOH,")

19 Defendant.)
20)
21)
22)

Case No.: SACR 15-00129-CJC

ORDER GRANTING GOVERNMENT'S
MOTION TO REVOKE BOND

23 The Government's motion to revoke Defendant's bond is
24 **GRANTED.** Under 18 U.S.C. § 3148(b), in order to grant the
25 Government's motion the Court must first find that either
26 (1) there is probable cause to believe that Defendant has
27 committed a crime while on release, or (2) there is clear
28 and convincing evidence that Defendant violated a condition

1 of release. If either of these two are satisfied, the
2 Court must turn to the second part of the analysis and find
3 either (1) that there is no condition or combination of
4 conditions of release that will assure that Defendant will
5 not flee or pose a danger to the community, or (2) that
6 Defendant is unlikely to abide by any condition or
7 combination of conditions of release. The Court finds that
8 the Government has provided sufficient evidence to satisfy
9 the elements of 18 U.S.C. § 3148(b).

10 On October 21, 2015, Defendant was charged with seven
11 counts of wire fraud in violation of 18 U.S.C. § 1343 for
12 making fraudulent statements and material omissions to
13 induce investors to invest in a purported investment fund
14 and trading program that Defendant managed. (Dkt. 1.) For
15 this crime, Defendant faces fines or imprisonment not to
16 exceed twenty years, or both.

17 At his post-indictment arraignment hearing held on
18 November 2, 2015, the Honorable Douglas F. McCormick
19 released Defendant on a \$15,000 unsecured appearance bond,
20 ordered that Defendant be supervised by Pretrial Services
21 Agency ("PSA"), and further conditioned the release by
22 requiring that Defendant "not participate in the
23 solicitation of funds without PSA approval." (Dkt. 6.)

24 Regarding the first part of the analysis under 18
25 U.S.C. § 3148(b), there is both probable cause to believe
26 that Defendant violated a crime while on release and clear
27 and convincing evidence that Defendant violated a condition
28 of release. First, the Government has presented evidence

1 demonstrating probable cause to believe that Defendant has
2 committed additional acts of wire fraud, a federal felony.
3 Specifically, on or about July 18, 2016, the Federal Bureau
4 of Investigation interviewed a Keith Hale of California,
5 who asked a friend to wire \$15,000 to Defendant on Mr.
6 Hale's behalf around May 19, 2016. (Dkt. 21-1.) Defendant
7 promised Mr. Hale he would double his investment in two
8 weeks through Defendant's automated trading platform. (*Id.*)
9 To date, Mr. Hale has not received any money back from his
10 investment. (*Id.*) Defendant did not have PSA approval to
11 engage in this solicitation. (Dkt. 21 at 3.)

12 Second, the Government has also presented clear and
13 convincing evidence that Defendant violated his pretrial
14 release conditions. Not only did Defendant solicit funds
15 from Mr. Hale without PSA approval, but he held himself out
16 as a licensed trader to persuade potential investors to
17 open brokerage and mutual fund accounts with him. In that
18 regard, the Government provided clear and convincing
19 evidence that Defendant provided Mr. Hale with a purported
20 Citibank phone number to verify the assets he claims to
21 manage, and distributed a fake balance sheet showing assets
22 of approximately \$59 million. (Dkt. 21-2; Dkt. 21-3.)

23 Regarding the second part of the analysis under 18
24 U.S.C. § 3148(b), there is no condition or set of
25 conditions that will assure Defendant is no further danger
26 to the community and Defendant is also unlikely to abide by
27 any set of conditions on release. First, the evidence
28 presented shows that Defendant will continue to be a danger

1 to the community despite any possible pretrial conditions.
2 In addition to Defendant's solicitation of Mr. Hale, the
3 Government has presented evidence that in or around June
4 2015, prior to Defendant being placed under PSA
5 supervision, a Brian Richardson invested approximately
6 \$7,000 with Defendant. (Dkt. 24-1.) Mr. Richardson also
7 has not received any money back on the investment. (*Id.*)
8 While under PSA supervision Defendant has continued to
9 provide false financial statements and promises to Mr.
10 Richardson regarding his investment. (Dkt. 24-1; Dkt. 25-
11 1; Dkt. 25-2; Dkt. 25-3.) Additionally, as recently as
12 September 7, 2016, Defendant contacted Mr. Richardson via
13 text message to confront him about his cooperation with law
14 enforcement. (Dkt. 25-1.) The text message includes a
15 troubling comment: "Wow smh¹ that don't get you money bruh."
16 (*Id.*) Defendant's communications with Mr. Hale and Mr.
17 Richardson show that he is a serious economic danger to the
18 community. Simply stated, he repeatedly targets
19 individuals and then defrauds them out of their money.

20 Second, Defendant's conduct has also demonstrated that
21 he is unlikely to abide by any condition or combination of
22 conditions of release. Despite facing imprisonment of up
23 to twenty years if convicted of the underlying charges,
24 Defendant brazenly continued his fraudulent behavior in
25 violation and complete disregard of the conditions of his
26

27 ¹ "Smh" is an internet slang acronym for "shaking my head." SMH, URBAN
28 DICTIONARY (Sept. 13, 2016, 12:55:00 PM),
<http://www.urbandictionary.com/define.php?term=smh>.

1 release and promises to the Court. Defendant's actions
2 clearly demonstrate that he cannot be trusted to abide by
3 his conditions of release again.

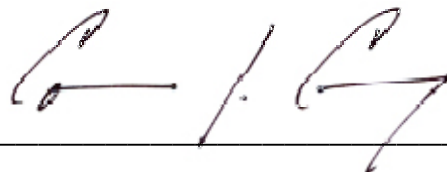
4 IT IS THEREFORE ORDERED that Defendant's bond be
5 revoked and that he be detained prior to trial.

6 IT IS FURTHER ORDERED that Defendant be committed to
7 the custody of the Attorney General for confinement in a
8 corrections facility separate, to the extent practicable,
9 from persons awaiting or serving sentences or being held in
10 custody pending appeal.

11 IT IS FURTHER ORDERED that Defendant be afforded
12 reasonable opportunity for private consultation with
13 counsel.

14 IT IS FURTHER ORDERED that, on order of a Court of the
15 United States or on request of any attorney for the
16 Government, the person in charge of the corrections
17 facility in which Defendant is confined deliver Defendant
18 to a United States marshal for the purpose of an appearance
19 in connection with a court proceeding.
20
21

22 DATED: September 13, 2016
23
24

25 
26

CORMAC J. CARNEY

27 UNITED STATES DISTRICT JUDGE
28